

**OFFICIAL PUBLICATION  
OF THE STATE OF NEW JERSEY**

**Chris Christie, Governor  
Laura Sanders, Director  
and Chief Administrative Law Judge  
Office of Administrative Law**

The New Jersey Administrative Code is an official publication of the State of New Jersey. N.J.S.A. 52:14B-7. The Code contains all effective rules adopted by State agencies and filed with the Office of Administrative Law pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Office of Administrative Law Rulemaking Rules, N.J.A.C. 1:30. Judicial notice may be taken of the text of each rule published in the New Jersey Administrative Code or the New Jersey Register. N.J.S.A. 52:14B-5(e).

**HOW TO CITE**

The New Jersey Administrative Code shall be cited as N.J.A.C. The citation to a particular section in the Code shall include the numerical designations of the title, chapter, subchapter and section referred to, preceded by the initials N.J.A.C. Example: N.J.A.C. 1:30-1.4.

**CASE NOTES**

The case notes for Title 14 of the New Jersey Administrative Code were compiled from reported cases published in the Federal case reporters, the New Jersey Reports, the New Jersey Superior Court Reports, the New Jersey Tax Court Reports, the New Jersey Administrative Reports and the Formal Opinions of the Attorney General of New Jersey from September 1, 1969 (the effective date of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.).

111 2/9/2010

**VALID TITLE 14 PAGES**  
(Current through July 6, 2010)

| Page Number      | Supp. Date | Page Number      | Supp. Date | Page Number      | Supp. Date |
|------------------|------------|------------------|------------|------------------|------------|
| i                | 1-4-10     | 2-11             | 10-15-07   | 3-38.4           | 5-19-08    |
| ii               | 1-4-10     | 2-12             | 10-15-07   | 3-38.5           | 5-19-08    |
| iii              | 1-19-10    | 2-13             | 8-17-09    | 3-38.6           | 5-19-08    |
| iv               | 1-19-10    | 2-14             | 8-17-09    | 3-38.7           | 5-19-08    |
| v                | 10-20-08   | 2-15             | 8-17-09    | 3-38.8           | 5-19-08    |
| vi               | 10-20-08   | 2-16             | 8-17-09    | 3-38.9           | 5-19-08    |
| vii              | 7-6-10     | 2-16.1           | 8-17-09    | 3-38.10          | 5-19-08    |
| viii             | 7-6-10     | 2-16.2           | 8-17-09    | 3-39             | 9-18-06    |
| ix               | 7-6-10     | 2-17             | 10-15-07   | 3-40             | 9-18-06    |
| x                | 7-6-10     | 2-18             | 10-15-07   | 3-41             | 9-18-06    |
| <b>Chapter 1</b> |            | 2-19             | 10-15-07   | 3-42             | 9-18-06    |
| 1-1              | 6-15-09    | 2-20             | 10-15-07   | 3-43             | 5-19-08    |
| 1-2              | 6-15-09    | <b>Chapter 3</b> |            | 3-44             | 5-19-08    |
| 1-3              | 6-15-09    | 3-1              | 5-19-08    | 3-45             | 5-19-08    |
| 1-4              | 6-15-09    | 3-2              | 5-19-08    | 3-46             | 5-19-08    |
| 1-4.1            | 4-7-08     | 3-3              | 1-5-09     | 3-47             | 5-19-08    |
| 1-4.2            | 4-7-08     | 3-4              | 1-5-09     | 3-48             | 5-19-08    |
| 1-5              | 10-21-02   | 3-5              | 1-5-09     | 3-49             | 5-19-08    |
| 1-6              | 10-21-02   | 3-6              | 1-5-09     | 3-50             | 5-19-08    |
| 1-7              | 10-21-02   | 3-7              | 1-5-09     | <b>Chapter 4</b> |            |
| 1-8              | 10-21-02   | 3-8              | 1-5-09     | 4-1              | 4-6-09     |
| 1-9              | 10-21-02   | 3-9              | 12-7-09    | 4-2              | 4-6-09     |
| 1-10             | 10-21-02   | 3-10             | 12-7-09    | 4-2.1            | 5-19-08    |
| 1-10.1           | 10-21-02   | 3-11             | 1-5-09     | BLANK            | 5-19-08    |
| BLANK            | 10-21-02   | 3-12             | 1-5-09     | 4-3              | 4-6-09     |
| 1-11             | 2-2-98     | 3-13             | 1-5-09     | 4-4              | 4-6-09     |
| 1-12             | 2-2-98     | 3-14             | 1-5-09     | 4-5              | 5-19-08    |
| 1-13             | 2-2-98     | 3-15             | 1-5-09     | 4-6              | 5-19-08    |
| 1-14             | 2-2-98     | 3-16             | 1-5-09     | 4-7              | 5-19-08    |
| 1-14.1           | 6-21-10    | 3-17             | 1-5-09     | 4-8              | 5-19-08    |
| 1-14.2           | 6-21-10    | 3-18             | 1-5-09     | 4-8.1            | 5-19-08    |
| 1-14.3           | 6-21-10    | 3-18.1           | 1-5-09     | 4-8.2            | 5-19-08    |
| BLANK            | 6-21-10    | BLANK            | 1-5-09     | 4-8.3            | 5-19-08    |
| 1-15             | 4-7-08     | 3-19             | 5-19-08    | 4-8.4            | 5-19-08    |
| 1-16             | 4-7-08     | 3-20             | 5-19-08    | 4-8.5            | 5-19-08    |
| 1-17             | 3-2-09     | 3-21             | 1-5-09     | 4-8.6            | 5-19-08    |
| 1-18             | 3-2-09     | 3-22             | 1-5-09     | 4-8.7            | 5-19-08    |
| 1-19             | 4-7-08     | 3-23             | 6-15-09    | 4-8.8            | 5-19-08    |
| 1-20             | 4-7-08     | 3-24             | 6-15-09    | 4-8.9            | 5-19-08    |
| 1-21             | 4-7-08     | 3-24.1           | 6-15-09    | 4-8.10           | 5-19-08    |
| 1-22             | 4-7-08     | BLANK            | 6-15-09    | 4-8.11           | 5-19-08    |
| 1-23             | 4-7-08     | 3-25             | 5-19-08    | 4-8.12           | 5-19-08    |
| 1-24             | 4-7-08     | 3-26             | 5-19-08    | 4-8.13           | 4-6-09     |
| 1-25             | 4-7-08     | 3-27             | 5-19-08    | 4-8.14           | 4-6-09     |
| 1-26             | 4-7-08     | 3-28             | 5-19-08    | 4-8.15           | 4-6-09     |
| <b>Chapter 2</b> |            | 3-29             | 1-5-09     | 4-8.16           | 4-6-09     |
| 2-1              | 8-17-09    | 3-30             | 1-5-09     | 4-8.17           | 4-6-09     |
| 2-2              | 8-17-09    | 3-31             | 5-19-08    | 4-8.18           | 4-6-09     |
| 2-3              | 8-17-09    | 3-32             | 5-19-08    | 4-8.19           | 4-6-09     |
| 2-4              | 8-17-09    | 3-33             | 5-19-08    | 4-8.20           | 4-6-09     |
| 2-5              | 10-19-09   | 3-34             | 5-19-08    | 4-9              | 11-5-07    |
| 2-6              | 10-19-09   | 3-35             | 5-19-08    | 4-10             | 11-5-07    |
| 2-6.1            | 8-17-09    | 3-36             | 5-19-08    | 4-11             | 11-5-07    |
| BLANK            | 8-17-09    | 3-37             | 5-19-08    | 4-12             | 11-5-07    |
| 2-7              | 10-15-07   | 3-38             | 5-19-08    | 4-13             | 11-5-07    |
| 2-8              | 10-15-07   | 3-38.1           | 5-19-08    | 4-14             | 11-5-07    |
| 2-9              | 10-15-07   | 3-38.2           | 5-19-08    | 4-15             | 5-19-08    |
| 2-10             | 10-15-07   | 3-38.3           | 5-19-08    | 4-16             | 5-19-08    |

| Page Number       | Supp. Date | Page Number      | Supp. Date | Page Number       | Supp. Date |
|-------------------|------------|------------------|------------|-------------------|------------|
| 4-17              | 5-19-08    | BLANK            | 5-3-10     | 9-4               | 10-16-06   |
| 4-18              | 5-19-08    | 7-7              | 10-5-09    | 9-5               | 10-16-06   |
| 4-19              | 5-19-08    | 7-8              | 10-5-09    | 9-6               | 10-16-06   |
| 4-20              | 5-19-08    | 7-9              | 10-5-09    | 9-7               | 10-16-06   |
| 4-21              | 5-19-08    | 7-10             | 10-5-09    | 9-8               | 10-16-06   |
| 4-22              | 5-19-08    | 7-11             | 10-5-09    | 9-9               | 10-16-06   |
| 4-23              | 5-19-08    | 7-12             | 10-5-09    | 9-10              | 10-16-06   |
| 4-24              | 5-19-08    | 7-13             | 10-5-09    | 9-11              | 10-16-06   |
| 4-25              | 5-19-08    | 7-14             | 10-5-09    | 9-12              | 10-16-06   |
| 4-26              | 5-19-08    | 7-14.1           | 10-5-09    | 9-13              | 10-16-06   |
| 4-27              | 5-19-08    | BLANK            | 10-5-09    | 9-14              | 10-16-06   |
| BLANK             | 5-19-08    | 7-15             | 3-2-09     | 9-15              | 10-16-06   |
| <b>Chapter 5</b>  |            | 7-16             | 3-2-09     | 9-16              | 10-16-06   |
| 5-1               | 1-19-10    | <b>Chapter 8</b> |            | <b>Chapter 9A</b> |            |
| 5-2               | 1-19-10    | 8-1              | 1-4-10     | 9A-1              | 6-17-96    |
| 5-3               | 3-17-08    | 8-2              | 1-4-10     | BLANK             | 6-17-96    |
| 5-4               | 3-17-08    | 8-2.1            | 1-4-10     | <b>Chapter 10</b> |            |
| 5-5               | 3-17-08    | BLANK            | 1-4-10     | 10-1              | 10-20-08   |
| 5-6               | 3-17-08    | 8-3              | 4-6-09     | 10-2              | 10-20-08   |
| 5-7               | 3-17-08    | 8-4              | 4-6-09     | 10-3              | 10-20-08   |
| 5-8               | 3-17-08    | 8-4.1            | 4-6-09     | 10-4              | 10-20-08   |
| 5-9               | 3-17-08    | 8-4.2            | 4-6-09     | 10-5              | 10-20-08   |
| 5-10              | 3-17-08    | 8-5              | 5-15-06    | 10-6              | 10-20-08   |
| 5-11              | 5-19-08    | 8-6              | 5-15-06    | 10-7              | 10-20-08   |
| 5-12              | 5-19-08    | 8-7              | 9-8-09     | 10-8              | 10-20-08   |
| 5-13              | 1-19-10    | 8-8              | 9-8-09     | 10-9              | 10-20-08   |
| 5-14              | 1-19-10    | 8-9              | 1-4-10     | 10-10             | 10-20-08   |
| 5-15              | 1-19-10    | 8-10             | 1-4-10     | 10-11             | 10-20-08   |
| 5-16              | 1-19-10    | 8-11             | 1-4-10     | 10-12             | 10-20-08   |
| 5-17              | 1-19-10    | 8-12             | 1-4-10     | 10-13             | 9-17-07    |
| 5-18              | 1-19-10    | 8-12.1           | 1-4-10     | 10-14             | 9-17-07    |
| 5-19              | 1-19-10    | 8-12.2           | 1-4-10     | 10-15             | 6-1-09     |
| 5-20              | 1-19-10    | 8-12.3           | 1-4-10     | 10-16             | 6-1-09     |
| 5-21              | 1-19-10    | 8-12.4           | 1-4-10     | 10-16.1           | 6-1-09     |
| BLANK             | 1-19-10    | 8-12.5           | 1-4-10     | BLANK             | 6-1-09     |
| <b>Chapter 5A</b> |            | 8-12.6           | 1-4-10     | 10-17             | 10-1-07    |
| 5A-1              | 11-3-08    | 8-12.6.1         | 1-4-10     | 10-18             | 10-1-07    |
| 5A-2              | 11-3-08    | BLANK            | 1-4-10     | 10-19             | 10-20-08   |
| 5A-3              | 11-3-08    | 8-12.7           | 5-19-08    | 10-20             | 10-20-08   |
| 5A-4              | 11-3-08    | 8-12.8           | 5-19-08    | 10-21             | 10-20-08   |
| 5A-5              | 11-3-08    | 8-12.9           | 5-19-08    | 10-22             | 10-20-08   |
| 5A-6              | 11-3-08    | 8-12.10          | 5-19-08    | 10-23             | 10-20-08   |
| <b>Chapter 6</b>  |            | 8-12.11          | 7-6-10     | 10-24             | 10-20-08   |
| 6-1               | 2-20-07    | 8-12.12          | 7-6-10     | 10-25             | 10-20-08   |
| 6-2               | 2-20-07    | 8-13             | 7-6-10     | 10-26             | 10-20-08   |
| 6-3               | 2-20-07    | 8-14             | 7-6-10     | 10-27             | 10-20-08   |
| 6-4               | 2-20-07    | 8-15             | 1-4-10     | 10-28             | 10-20-08   |
| 6-5               | 2-20-07    | 8-16             | 1-4-10     | 10-28.1           | 10-20-08   |
| 6-6               | 2-20-07    | 8-17             | 1-4-10     | 10-28.2           | 10-20-08   |
| 6-7               | 2-20-07    | 8-18             | 1-4-10     | 10-28.3           | 10-20-08   |
| 6-8               | 2-20-07    | 8-19             | 1-4-10     | 10-28.4           | 10-20-08   |
| 6-9               | 2-20-07    | 8-20             | 1-4-10     | 10-28.5           | 10-20-08   |
| 6-10              | 2-20-07    | 8-21             | 1-4-10     | 10-28.6           | 10-20-08   |
| 6-11              | 2-20-07    | 8-22             | 1-4-10     | 10-28.7           | 10-20-08   |
| BLANK             | 2-20-07    | 8-23             | 1-4-10     | 10-28.8           | 10-20-08   |
| <b>Chapter 6A</b> |            | 8-24             | 1-4-10     | 10-28.9           | 9-17-07    |
| 6A-1              | 2-5-07     | 8-25             | 1-4-10     | 10-28.10          | 9-17-07    |
| BLANK             | 2-5-07     | 8-26             | 1-4-10     | 10-28.11          | 9-17-07    |
| <b>Chapter 7</b>  |            | 8-27             | 1-4-10     | BLANK             | 9-17-07    |
| 7-1               | 10-5-09    | 8-28             | 1-4-10     | 10-29             | 11-6-06    |
| 7-2               | 10-5-09    | 8-29             | 1-4-10     | 10-30             | 11-6-06    |
| 7-3               | 10-5-09    | BLANK            | 1-4-10     | 10-31             | 11-6-06    |
| 7-4               | 10-5-09    | <b>Chapter 9</b> |            | 10-32             | 11-6-06    |
| 7-5               | 5-3-10     | 9-1              | 10-16-06   | 10-33             | 11-6-06    |
| 7-6               | 5-3-10     | 9-2              | 10-16-06   | 10-34             | 11-6-06    |
| 7-6.1             | 5-3-10     | 9-3              | 10-16-06   | 10-35             | 9-17-07    |

| Page Number                   | Supp. Date | Page Number                   | Supp. Date | Page Number                   | Supp. Date |
|-------------------------------|------------|-------------------------------|------------|-------------------------------|------------|
| BLANK                         | 9-17-07    | BLANK                         | 12-7-09    | BLANK                         | 11-3-03    |
| <b>Chapter 11</b>             |            | 18-21                         | 5-7-07     | <b>Chapter 31</b>             |            |
| 11-1                          | 2-2-98     | 18-22                         | 5-7-07     | 31-1                          | 6-18-07    |
| BLANK                         | 2-2-98     | 18-23                         | 5-7-07     | 31-2                          | 6-18-07    |
| <b>Chapter 12</b>             |            | 18-24                         | 5-7-07     | 31-2.1                        | 6-18-07    |
| 12-1                          | 10-1-07    | 18-24.1                       | 5-7-07     | BLANK                         | 6-18-07    |
| BLANK                         | 10-1-07    | 18-24.2                       | 5-7-07     | 31-3                          | 12-17-01   |
| <b>Chapters 13 through 16</b> |            | 18-24.3                       | 5-7-07     | 31-4                          | 12-17-01   |
| 13-1                          | 5-15-95    | BLANK                         | 5-7-07     | 31-5                          | 12-17-01   |
| BLANK                         | 5-15-95    | 18-25                         | 9-2-08     | 31-6                          | 12-17-01   |
| <b>Chapter 17</b>             |            | 18-26                         | 9-2-08     | 31-7                          | 12-17-01   |
| 17-1                          | 11-16-09   | 18-26.1                       | 9-2-08     | BLANK                         | 12-17-01   |
| 17-2                          | 11-16-09   | 18-26.2                       | 9-2-08     | <b>Chapter 32</b>             |            |
| 17-3                          | 11-16-09   | 18-26.3                       | 9-2-08     | 32-1                          | 2-5-07     |
| 17-4                          | 11-16-09   | BLANK                         | 9-2-08     | BLANK                         | 2-5-07     |
| 17-5                          | 11-16-09   | 18-27                         | 5-7-07     | <b>Chapter 33</b>             |            |
| 17-6                          | 11-16-09   | 18-28                         | 5-7-07     | 33-1                          | 3-6-00     |
| 17-7                          | 11-16-09   | 18-29                         | 5-7-07     | BLANK                         | 3-6-00     |
| 17-8                          | 11-16-09   | 18-30                         | 5-7-07     | <b>Chapter 34</b>             |            |
| 17-9                          | 11-16-09   | 18-31                         | 5-7-07     | 34-1                          | 3-6-00     |
| 17-10                         | 11-16-09   | 18-32                         | 5-7-07     | BLANK                         | 3-6-00     |
| 17-11                         | 11-16-09   | 18-33                         | 5-7-07     | <b>Chapters 35 through 37</b> |            |
| 17-12                         | 11-16-09   | 18-34                         | 5-7-07     | 35-1                          | 5-15-95    |
| 17-13                         | 11-16-09   | 18-35                         | 5-7-07     | BLANK                         | 5-15-95    |
| 17-14                         | 11-16-09   | 18-36                         | 5-7-07     | <b>Chapter 38</b>             |            |
| 17-14.1                       | 11-16-09   | 18-37                         | 9-2-08     | 38-1                          | 5-20-96    |
| 17-14.2                       | 11-16-09   | 18-38                         | 9-2-08     | BLANK                         | 5-20-96    |
| 17-15                         | 7-19-04    | 18-39                         | 4-6-09     | <b>Index</b>                  |            |
| 17-16                         | 7-19-04    | 18-40                         | 4-6-09     | I-1                           | 1-19-10    |
| 17-17                         | 11-16-09   | 18-41                         | 4-6-09     | I-2                           | 1-19-10    |
| 17-18                         | 11-16-09   | BLANK                         | 4-6-09     | I-3                           | 1-19-10    |
| <b>Chapter 18</b>             |            | <b>Chapters 19 through 24</b> |            | I-4                           | 1-19-10    |
| 18-1                          | 5-7-07     | 19-1                          | 5-15-95    | I-5                           | 1-19-10    |
| 18-2                          | 5-7-07     | BLANK                         | 5-15-95    | I-6                           | 1-19-10    |
| 18-3                          | 9-2-08     | <b>Chapter 25</b>             |            | I-7                           | 1-19-10    |
| 18-4                          | 9-2-08     | 25-1                          | 4-17-00    | I-8                           | 1-19-10    |
| 18-4.1                        | 9-2-08     | BLANK                         | 4-17-00    | I-9                           | 1-19-10    |
| BLANK                         | 9-2-08     | <b>Chapters 26 through 28</b> |            | BLANK                         | 1-19-10    |
| 18-5                          | 11-17-03   | 26-1                          | 5-15-95    | <b>Definitions</b>            |            |
| 18-6                          | 11-17-03   | BLANK                         | 5-15-95    | D-1                           | 1-19-10    |
| 18-7                          | 9-2-08     | <b>Chapter 29</b>             |            | D-2                           | 1-19-10    |
| 18-8                          | 9-2-08     | 29-1                          | 6-5-06     | D-3                           | 1-19-10    |
| 18-9                          | 9-2-08     | 29-2                          | 6-5-06     | D-4                           | 1-19-10    |
| 18-10                         | 9-2-08     | 29-3                          | 1-5-04     | D-5                           | 1-19-10    |
| 18-11                         | 9-2-08     | 29-4                          | 1-5-04     | D-6                           | 1-19-10    |
| 18-12                         | 9-2-08     | 29-5                          | 6-5-06     | D-7                           | 1-19-10    |
| 18-13                         | 9-2-08     | 29-6                          | 6-5-06     | D-8                           | 1-19-10    |
| 18-14                         | 9-2-08     | 29-7                          | 6-5-06     | D-9                           | 1-19-10    |
| 18-15                         | 12-7-09    | 29-8                          | 6-5-06     | D-10                          | 1-19-10    |
| 18-16                         | 12-7-09    | 29-8.1                        | 6-5-06     | D-11                          | 1-19-10    |
| 18-16.1                       | 9-2-08     | BLANK                         | 6-5-06     | D-12                          | 1-19-10    |
| BLANK                         | 9-2-08     | 29-9                          | 1-5-04     | <b>Tables</b>                 |            |
| 18-17                         | 5-7-07     | 29-10                         | 1-5-04     | T1-1                          | 10-20-08   |
| 18-18                         | 5-7-07     | 29-11                         | 6-5-06     | BLANK                         | 10-20-08   |
| 18-19                         | 12-7-09    | BLANK                         | 6-5-06     | T2-1                          | 10-20-08   |
| 18-20                         | 12-7-09    | <b>Chapter 30</b>             |            | BLANK                         | 10-20-08   |
| 18-20.1                       | 12-7-09    | 30-1                          | 11-3-03    |                               |            |